



DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-904]

Certain Activated Carbon from the People's Republic of China; 2012-2013; Partial Rescission of the Sixth Antidumping Duty Administrative Review

AGENCY: Enforcement and Compliance, formerly Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: On June 3, 2013, the Department of Commerce (“the Department”) published a notice of initiation of an administrative review of the antidumping duty order on certain activated carbon from the People’s Republic of China (“PRC”) based on multiple timely requests for an administrative review. The review covers 185 companies. Based on a withdrawal of the requests for review of certain companies from Calgon Carbon Corporation and Cabot Norit Americas Inc. (“Petitioners”), we are now rescinding this administrative review with respect to four companies.

DATES: Effective [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Bob Palmer, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-9068.

SUPPLEMENTARY INFORMATION:

Background

In April 2013, the Department received multiple timely requests to conduct an administrative review of the antidumping duty order on certain activated carbon from the PRC

(“the Order”).¹ Based upon these requests, on June 3, 2013, the Department published a notice of initiation of an administrative review of the Order covering the period April 1, 2012, to March 31, 2013.² The Department initiated the administrative review with respect to 185 companies.³ On August 28, 2013, Petitioners withdrew their request for an administrative review on Shanxi Industry Technology Trading Co., Ltd., (“Shanxi ITT”), Shanxi Xuanzhong Chemical Industry Co., Ltd. (“Xuanzhong”), Tianjin Maijin Industries Co., Ltd. (“Tianjin”) and Xi’an Shuntong International Trade & Industrials Co., Ltd. (“Xi’an”).⁴ Petitioners were the only party to request a review of these companies. Petitioners also withdrew their review requests for an additional 165 companies, and no other party requested a review of those companies. However, those companies do not have a separate rate from a prior segment of this proceeding and are part of the PRC-wide entity which could come under review in this segment of the proceeding. We intend to address the disposition of these companies in the preliminary results of this review.⁵

Partial Rescission

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if a party who requested the review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review. Petitioners’ requests for review of Shanxi ITT, Xuanzhong, Tianjin and Xi’an were withdrawn within the 90-day period. Because Petitioners’ requests for review were timely withdrawn and because no other party

¹ See Notice of Antidumping Duty Order: Certain Activated Carbon From the People’s Republic of China, 72 FR 20988 (April 27, 2007) (“Order”).

² See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part, 78 FR 33052, 33054 (June 3, 2013) (“Initiation Notice”).

³ See id.

⁴ See Letter to the Department from Petitioners, Re: Certain Activated Carbon from the People’s Republic of China: Petitioners’ Withdrawal of Certain Requests for Administrative Review, dated August 28, 2013. Petitioners also withdrew their request for review of Calgon Carbon (Tianjin) Co., Ltd. (“Calgon”). However, Albemarle Corporation also requested an administrative review of Calgon in the current segment. See Letter from Albemarle Corporation, dated April 30, 2013.

⁵ See Wooden Bedroom Furniture From the People’s Republic of China: Partial Rescission of Antidumping Duty Administrative Review, 78 FR 60844 (October 2, 2013).

requested a review of Shanxi ITT, Xuanzhong, Tianjin and Xi'an, in accordance with 19 CFR 351.213(d)(1), we are partially rescinding this review with respect to Shanxi ITT, Xuanzhong, Tianjin and Xi'an.

Assessment Rates

The Department will instruct U.S. Customs and Border Protection ("CBP") to assess antidumping duties on all appropriate entries.⁶ Because Shanxi ITT, Xuanzhong, Tianjin and Xi'an have a separate rate from a prior segment of this proceeding, antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(2). The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of this notice.

Notification to Importers

This notice serves as a final reminder to importers for whom this review is being rescinded, as of the publication date of this notice, of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification Regarding Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective orders ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the

⁶ See 19 CFR 351.212(b)(1).

return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

This notice is issued and published in accordance with section 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Christian Marsh,
Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations.

Dated: December 17, 2013.

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